

II REMARKS2.1 TRAVERSE OF 35 USC 102 REJECTION2.1.1 General

All claims stand rejected under 35 USC 102 over Lee et al (Paper No 2, Part III, items 1 and 6). Applicant respectfully traverses this rejection wherein

- a. Lee does not anticipate nor render obvious the
5 claimed invention (Section 2.1.2 herein) and
- b. the claimed invention predates the Lee reference
 (Section 2.1.3 herein).

Therefore, Lee is an improper reference.

2.1.2 Lee Does Not Anticipate Nor Render Obvious The
 Claimed Invention

10 The claims of the present invention are limited to
 features such as a high registration system or a particular
 computer architecture, neither of which are anticipated nor
 rendered obvious by Lee. For example, Lee does not provide
 the combination of "an integrated circuit read only memory",
15 "an integrated circuit alterable memory", and "a processor"
 having particular cooperation therebetween (claims 1 and 2)
 nor a "monolithic processor" having "integrated circuit"
 elements such as "read only memory", an "alterable memory",
 and "processing logic" having particular cooperation
20 therebetween (Claims 3-10). Therefore, the claims are not
 anticipated nor rendered obvious by Lee.

2.1.3 Lee Is Predated

5 The instant application has an effective filing date prior to the filing date of Lee. For example; the great, great, grandparent application Serial No. 101,881 filed on Dec 28, 1970 and still pending before the PTO provides the disclosure of the processor claimed in the instant application for controlling a photoplotter machine, predating the Lee reference by almost 6 months.

2.1.4 Request To Take Notice

10 Applicant requests that the Examiner take notice that the Applicant in the instant application (Hyatt) is a coinventor with Lee in the Examiner's primary reference.

2.2 CONTINUATION IN PART STATUS

2.2.1 General

15 The Examiner questions the continuation-in-part status of the instant application for various reasons (Paper No. 2, Part III, Item 5). Applicant submits that the instant application is properly a continuation-in-part thereof. The Examiner's questions are addressed in
20 Sections 2.2.2-2.2.4 herein.

The Examiner requires a "verified" showing, wherein clarification thereof is respectfully requested.

2.2.2 Passage Of Time

25 The Examiner questions the "passage of nearly nine years" Applicant submits that great, great, grandparent application Serial No. 101,881 is still copending and that applications Serial No. 232,459; Serial No. 246,867 and others have recently had restriction requirements after almost eight

years of pendency. For these and other reasons, clearly this passage of time is not limiting on C-I-P status.

2.2.3 Copendency

5 The Examiner questions copendency. Applicant submits that the chain of copendency has been maintained, as discussed below.

10 Applications numbered 2,3,4,6,7,8,9, 10,11,15 (as amended), 16,17, 18, 19, and 20 were pending as of the filing date of the instant application and therefore are certainly copending.

 Said copending application numbered 2 is a C-I-P of application numbered 1 and was copending therewith.

15 Said copending application numbered 15 (as-amended) is a C-I-P of application numbered 14 and was copending therewith.

 Said copending application numbered 18 is a C-I-P of applications numbered 5 and 12 and was copending therewith.

20 Said copending application numbered 20 is a C-I-P of applications numbered 12 and 13 and was copending therewith.

 Therefore, the chain of copendency has been properly maintained.

2.2.4 Parent Applications Disclose System

25 The Examiner questions the "common base subject". Applicant submits that the parent applications and the instant application are directed to different inventive features of substantially the same system or technology, as upgraded. For example, the computer embodiment claimed
30 in the instant application is disclosed in most of the parent applications, either at length or by reference, and is disclosed in detail in great, great, grandparent application Serial No. 101,881 filed on Dec 28, 1970. Therefore, it is appropriate for the instant application to be a C-I-P thereof.

2.3 DECLARATION

The Examiner requires a substitute declaration (Paper No 2, attachment). A substitute declaration is transmitted herewith.

2.4 REQUEST TO TAKE NOTICE OF DOCKET NUMBER

5 In the paper dated July 2, 1979 (Paper No. 2); the docket number of the instant application was not identified. In order to facilitate handling and cross-referencing; Applicant respectfully requests that the docket number of the instant application (DocketNo. 164) be entered on the file wrapper and be included when applicable in the heading
10 of Papers related to the instant application.

III SUMMARY

It is respectfully submitted that the present application meets the requirements of the Statutes, the Rules of Practice, and Manual of Patent Examining Procedure and that all claims are patentably distinct over the prior art. Therefore, this application is now in condition for allowance. Such action is respectfully requested.

IV CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on Sept 27, 1979

Gilbert P. Hyatt

Respectfully submitted,

Gilbert P. Hyatt 9/27/79

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